

NewsBreak

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Colleges veto vote count



from *Part Time Times*, February 19, 2009 (opseu.org)

Part-time and sessional faculty at Ontario community colleges still don't know the result of their recent union certification vote, and there's only one reason why.

"The colleges don't want the votes to be counted, and they're doing everything they can think of to prevent them from being counted," says Roger Couvrette, president of the Organization of Part-Time and Sessional Employees. "We are calling on them to drop their objections to opening the ballot boxes and let democracy prevail."

Over 3,500 people voted at 24 community colleges in balloting from Jan. 19 to Feb. 5 to determine if part-time and sessional faculty want OPSEU to represent them in bargaining with the colleges.

In a Feb. 6 letter to part-timers and sessionals, college boss Don Sinclair suggested that it was the Ontario Labour Relations Board (OLRB) that was keeping the ballot boxes sealed and the votes uncounted. But Couvrette called Sinclair's suggestion "dishonest."

"If it weren't for the legal objections of college lawyers, the OLRB would be counting the votes right now," Couvrette said. "When the OLRB ordered the vote on Jan. 6, it stated clearly that the votes would be counted if the parties agreed."

"The colleges do not agree," he said. "They have been fighting against our organizing drive from the very start, and this current example of stonewalling is only the most recent of many."

Sinclair's official title is Executive Director of the Colleges Compensation and Appointments

Council. In an effort to break the logjam, Couvrette phoned him personally on Feb. 10.

"I asked Mr. Sinclair if the colleges would drop their objections to counting the votes," he said.

"He said a few things that were syntactically tortured and concluded: 'The short answer is no.'"

Couvrette slammed the colleges for "flagrant hypocrisy" in refusing to count the votes.

"For five weeks, the colleges were urging us to vote, knowing full well that they were opposing those votes ever being counted," he said. "It's the absolute height of arrogance and a stunning display of disrespect towards part-timers and sessionals.

"All this does is demonstrate, once again, why we need a union."

OPSECAAT and OPSEU have launched a media offensive to get the votes counted.

"When I tell reporters that we don't know if the votes are going to be counted, they can't believe it," Couvrette said. "They say things like, 'That's crazy.' The colleges' opposition defies all common sense and every principle of democracy." An intensive lobby campaign is also on the union's agenda.

"Clearly, we need to put pressure on the colleges to smarten up, and one important way to do that is through the politicians who pay for them," he said. "We'll be delivering our message to MPPs and the Minister and asking for their immediate assistance."

Lawyers for OPSEU and the colleges will be in the same room March 31 for a meeting with Labour Relations Officers involved in the vote.

CAAT-A on the front lines in 2009

“ . . . All signs point to the fact that the recession this year will grab our economy by the throat. That will provide the provincial government and its agencies with the cover they seek to stare down our demands. I can almost hear their cry already: ‘There’s no money in the till. Be happy for what you have.’

We take the view that it is precisely during tough economic times that the public sector must be strengthened as a shield against job losses in the private sector. By doing so we save jobs, maintain communities and preserve the dignity of workers.

Already we see the impact of the recession on our community colleges. Across Ontario

applications and enrolment have spiked. Unemployed workers are turning to their local colleges to provide them with the retraining skills they will need in the post-recession economy.

This condition will be a powerful ally of ours at the negotiating table. Academic staff is on the frontline in the surging popularity of community college education. They will not be made the sacrificial lambs in any attempt to “rationalize” post-secondary education by hacking away at previous hard-earned gains.”

Patty Rout,

OPSEU First Vice President / Treasurer

February 13, 2009 - opseu.org

NewsBreak is a publication of the Humber College Faculty Union, OPSEU Local 562, intended to provide information and stimulate discussion. We invite your participation and welcome your contributions. All articles and letters should be signed, though in some circumstances the author’s name will be withheld upon request. We encourage thoughtful discussion that respects human rights. We reserve the right to edit for libel, length, and clarity.

Articles reporting on union business will be signed and will include the author’s position of responsibility in the local. Where an article has the author’s name only, the views are those of the author. You may email the editor: maureen.wall@humber.ca or drop materials at the Faculty Union office – H109, North Campus, ext. 4007.

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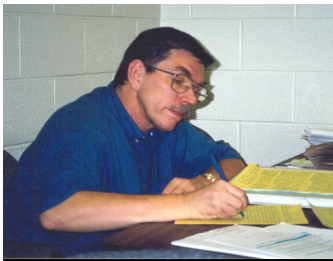
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President's notes

by Orville Getz, OPSEU 562 President

Provincial Demand-Setting Meeting

Delegates from the 24 Ontario colleges met February 7 & 8 to set demands for the next round of bargaining and to elect a bargaining team.

Over the past few months, we have done several things locally to prepare for provincial demand-setting:

- Last fall, faculty were sent a Negotiations 2009 questionnaire.
- Based on responses to the questionnaire, the Local 562 executive developed a list of potential demands.
- At our General Membership meeting on January 21, these demands were voted on and prioritized. The resulting top three priority areas were workload, salary and improvements for partial load faculty.
- Local 562 officers submitted our demands for consideration along with the demands from the other 23 locals.

Humber's four delegates to the CAAT Academic demand-setting meeting were Paul Michaud, Robert Mills, Audrey Taves and myself. As delegates, we moved our local demands forward at the meeting to ensure they were included in the final demands. In many cases our demands were similar to those from other locals.

The discussion on the major issue of workload centred around a report on the Workload Taskforce regional meetings. We were told that the taskforce has received a clear message from faculty on important workload issues, including more time on the SWF for student communication and feedback as well as the need to incorporate teaching methods such as on-line teaching into the SWF formula. It will be interesting to see their report at the end of

March. Their report will be used by the bargaining team to help advance our demands on workload issues.

Two days of discussion produced demands in 14 separate categories with a total of 148 demands. The categories considered were workload, salary, classification, benefits, staffing, job security, partial load provisions, academic freedom, health and safety, expiry date, grievances, fairness and equity, and leaves. The greatest concerns centred around workload, benefits and staffing.

As result of the new legislation contained in Bill 90, we cannot officially start the bargaining process until June 1. The bargaining team is hoping to start informal discussions with management before that date, so that we can move our issues forward and be able to inform faculty of progress in negotiations before the start of vacation period on June 26.

At the end of the 2-day meeting, we elected the bargaining team:

Ted Montgomery- Chair, L. 560, Seneca
Jeff Arbus- Co-chair, L. 613, Sault
Sheila Bell- L.354, Durham
Benoit Dupuis- L. 470, La Cite
Rodney Bain- L. 415, Algonquin
Damian Wiechula- L. 556, George Brown
Daniel Bouchard- L. 673, Boreal

We have a good mix of new members to complement the veterans from the last bargaining team, and we believe this team will secure us a good collective agreement.

We will keep you informed as negotiations progress. The next news we hear should be the report from the Workload Taskforce towards the end of March. 🌟



Workload taskforce meeting

Report by Audrey Taves, OPSEU 562 Secretary

After the faculty strike in 2006, the arbitrated settlement set up an independent taskforce to look at workload issues and make non-binding recommendations for future negotiations.

The three members of the taskforce are OPSEU representative — Marcus Harvey; Colleges' representative — Morris Uremovich, and Chair (neutral) – Wes Rayner.

As part of its work over the past few months, the taskforce surveyed a random sample of faculty and administration last fall and convened four regional meetings in January for additional faculty/administration input.

I was able to attend the final regional meeting on January 30 in Toronto. It was an interesting experience – hearing from the taskforce, presenting workload issues from Humber, and hearing the concerns presented by faculty from other colleges.

There were about 30-35 people at the meeting – a mix of faculty and administration. The first item on the agenda was a discussion of the survey tool used by the taskforce. The survey was designed to get information on faculty familiarity with material taught, student readiness for the courses taken, and satisfaction with workload dispute mechanisms. The taskforce wanted indirect data that reflected the workload – rather than “recall data”. The taskforce felt this would give more valid data.

Based on the preliminary results of the surveys and the regional meetings to date, the taskforce chair identified several key issues that they would be addressing in their recommendations:

1. “Minutiae”

Rayner said the taskforce would not deal with the “minutiae” of the workload formula, would not be suggesting, for instance, increasing prep factor from 1.1 to 1.5. This would be dealt with in bargaining.

2. Mechanism to allow flexibility

This is management's number one issue. The taskforce chair identified that he feels that there must be some type of joint mechanism to allow workload flexibility, especially in the area of non-traditional classes, for example, clinical, distance education, field placement. The mechanism would allow for a departure from the workload formula, but with certain safety factors (as yet to be determined) built in. This proposal would require the consent of faculty, followed by the consent of the union and management with the provision that the union/management consent could not be “unreasonably” withheld. There would also have to be an opt-out clause. Disagreements would be sent to the WCMG for solution.

There was much discussion of this proposal at the meeting. It was made clear by the faculty members present that “averaging” using annual maxima as utilized in the past would not be acceptable. The chair appeared receptive to concerns raised by faculty.

3. Evaluation time

There were many concerns raised about the inadequacy of the evaluation factors in the formula. In addition, much discussion occurred about how the evaluation factors / methods are set – i.e. by administrative directive versus an academic decision on what types of evaluation best suit the course material. The chair voiced concern over the lack of consistency among colleges in this regard and the lack of collegiality / academic freedom in setting evaluation and indicated this would be addressed in their report.

4. Complementary hours

The chair stated that the issue of complementary hours would be addressed, specifically that the 6 complementary hours are a minimum, not a maximum. p. 5

Again there was much discussion about the need for identifying what should be included in complementary hours on the back of the SWF, about the inconsistencies among colleges, the need to acknowledge faculty to faculty mentoring, the “lead teacher” role, the impact of increased student numbers, committee work, etc.

5. Preparation hours

The taskforce members all addressed the issue of preparation time, stating that many different issues affect preparation time and that these should be addressed in a column called “Additional preparation hours” that currently exists in the SWF, but appears to be poorly utilized. A suggestion was made that a list of examples that would apply in this column could be included in the contract to increase the likelihood of this column being used. The issue of the level of preparation needed for degree courses was also addressed by many.

6. Other issues

The taskforce will also be addressing issues related to coordinators, counsellors and

librarians – although specifics were not discussed at this meeting

Other issues raised at the meeting:

- part-time teaching as a percentage of the total faculty numbers
- request for a factor that addresses high student numbers (large class sizes)
- number of student hours and of full-time teaching hours across the community college system and how this has changed over the past five years

Overall, the taskforce members seemed committed to hearing from both faculty and administration regarding concerns with the current workload formula and faculty workload in general. The Workload Taskforce must submit their report with recommendations by March 1, 2009. Although not binding on future negotiations, the taskforce report will certainly have an impact on our new contract negotiations starting in June. Watch upcoming Newsbreaks for details once the taskforce report is released. ✍



“It’s the sprinkler system, sir... employee burnout keeps setting it off.”

Phased retirement programs

by Maureen Hyland, Humber Librarian

New federal legislation has paved the way for employers to more easily implement phased-in retirement. (Sorhaitz, Moriarty and Blundell, 2008)

The details of phased retirement programs vary widely. Human Resources Development Canada broadly defines phased retirement "as any program allowing for gradual decreases in working time and workload instead of an abrupt move from full-time employment to retirement." (HRDC)

A gradual retirement program provides both employers and employees with increased flexibility and the "intergenerational transfer of skills." (Langlois).

Phased retirement programs are now found in a number of workplaces in Canada. A Desjardin Financial Security study of 2004 shows that "61% of Canadians aged forty or more were planning to phase into retirement." (Desjardin)

"Quebec, a pioneer in introducing phased retirement options, introduced a phased retirement program as long ago as 1997." (Townson p. 185)

Presently, at Concordia University, "a member who is at least fifty-five years of age may choose to retire gradually over a period not to exceed three years. As well, an "annual workload reduction" option, to a maximum of five years, is available to Concordia faculty. (HRDC)

In Ontario, the elimination of mandatory retirement has brought a new focus to phased retirement options as workers look at working past their normal retirement dates. For example, at the University of Toronto, phased retirement allows for a three-year cumulative faculty appointment with three options for salary. The cumulative appointment over the three years phased retirement period will be at least 150% but not more than 200% of a full time appointment. "Pension and benefits

(health and dental, etc.) continue to be paid by the university as before the change in status, except for life insurance and sick pay which will be pro-rated. Partial pension payment features are under discussion.



There are other Canadian examples of phased retirement programs:

1. The University of Calgary provides an option for reduced duties leading to retirement and post-retirement employment of academic staff up to three years.
2. The University of Manitoba mandates that staff retire at 69 years of age or "continue in her/his position on a half-time appointment."
3. Canada Safeway allows full-time employees to change positions with part-time employees. (HRDC ch 6)
4. IBM supports a "retiree on call" program (CBC news)

Pensions and benefits must also be considered in relation to phased retirement programs. Various agreements in this regard are in place across Canada.

"Phased retirement may be complicated for workers who are members of a pension plan." (Townson p. 184) Pensions may be pro-rated to match the hours worked without losing full pension benefits upon completion of retirement. However, employment benefits such as life insurance, dental plans, etc. may no longer be available to workers who are of normal retirement age and eligible for pensions. For example, according to the New Brunswick Provincial Nurses Agreement nurses "aged 56 and older may work part-time and receive 85% of full income" and, as well, receive full pension in retirement. (Townson p. 185) p. 7

In conclusion, Canadian "collective agreements increasingly allow employees to ease into retirement by gradually reducing the number of hours worked. Opting for one of these measures may, however, affect a worker's benefits while still employed, in terms of contributions and access, as well as in terms of the amount of pensionable income to be received once retired." (HRDC Ch 6)

SOURCES:

1. Agreement between The Governing Council of the University of Toronto and The University of Toronto Faculty Association on Retirement Matters.
2. Benefits Canada Magazine. Article by Kevin Sorhaitz, Charlene Moriarity and David Blundell, November, 2008.
3. CBC News. In Depth: Retirement. February 21, 2008.
4. Desjardin Financial Security Study, 2004.
5. Human Resources Development Canada, chapter 6.
6. Langlois, Andre. Retiring on the installment plan. CA.com magazine, May 2004.
7. Townson, Monica. GROWING OLDER, working together: the new face of retirement. Ottawa: Canadian Centre for Policy Alternatives {2006} Ch. 5 p. 181 - 187.
8. University of Alberta. Faculty agreement. ✍

Phased retirement in Canada

Letter to the Editor from Graeme Simpson, Human Resources Professor

After much research on this topic, I have learned that only Quebec and Alberta have changed their pension laws to allow members of Defined Benefit pension plans to participate in phased retirement.

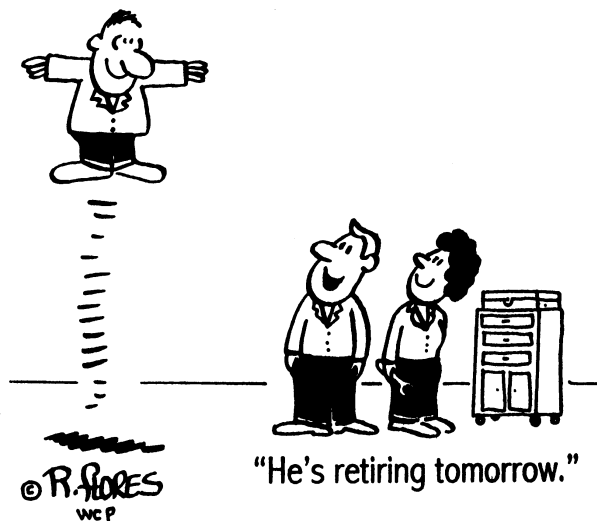
However, it is up to each employer whether or not they want to implement it. Employers in Quebec and Alberta who want to retain the experience of employees who are eligible to fully retire, are choosing to implement phased retirement. (Quebec also allows it for members of Defined Contribution pension plans, but Alberta does not).

The way phased retirement works is that an employee in a DB plan (and a DC plan in Quebec), aged 55 or older and eligible for an unreduced pension, can access up to 60% of their accrued pension, continue to work, and continue to contribute to their pension plan, at the same time (unlike CPP). What is not clear is whether the employer also contributes.

There is no mandatory reduction in working hours, so an employee can continue to work

full time or part time, provided the employer agrees.

From an HR perspective, what an excellent succession planning tool. Now if only the Ontario Pension Commission would join the parade ! ✍



Chief Steward's Report

by Robert Mills, OPSEU 562 Chief Steward



Grievance Report

A faculty member has grieved his manager for requesting a sick day note for taking sick leave for one and a half days. The College Policy states that, generally, a sick day note is not normally requested unless the faculty member is off for five or more days.

If you feel that you have been unfairly treated with this kind of request, please contact the union office.

Three grievances are at arbitration

Two grievances scheduled for arbitration grieve the misuse of the sessional and partial load classifications for those doing clinical work in School of Health Sciences. If successful, the grievances could result in a number of full-time hires. One grievance is due to be heard March 28 and the other on April 22.

The third grievance scheduled for arbitration was filed by the union against the college because of the college's hiring practices. The collective agreement and recent arbitration awards at other colleges set the guidelines for hiring in that all internal applicants (full-time and partial load) are interviewed and considered first. Then, if there are positions that cannot be filled by internal applicants, external applicants are interviewed and considered. At the moment the college is considering all applicants at the same time.

Pro dev leave

Those of you who applied for professional development leave should have heard or soon be hearing whether you were successful or not. Check the letter carefully

before signing. We know that some managers put pressure on faculty to do work on their PD Leave (such as curriculum development, text book search, manual writing and other work directly related to the college) that should be put on the SWF. The college cannot force you to do that kind of work. Article 20.02 (viii) clearly indicates that you have a right to refuse that request.

The leave is for you to enhance your professional abilities upon return to the college. You know best what works for you.

If you feel that you have been pressured to do work for the College on your leave, contact the Union office at ext. 4007 in room H109.

In passing

When the sessional, part time and CE employees started to organize for union rights, I was very pleased to hear some of the upper management say that they were in agreement with the idea, that it was a long time in coming. The certifications vote took place just before reading week, and now the colleges' management is opposing counting of the ballots.

I'm confused.



"But Mr. Hinkley, I thought you liked well organized employees."

From the archives . . . Faculty evaluation in '71-'72

by Thea Miller, Special Projects Manager, Humber Library

Student newspapers can be an excellent source for understanding what is really happening on campus. Take, for example, that topic of lively interest among teaching staff, the evaluation. Did you know that in the academic year 1971-1972, no fewer than three different forms of instructor evaluation were being carried out or in the planning stage?

One of these was the official evaluation, in the form of the class visit or "inspection". In a front-page article of its January 28, 1972 issue ("Teaching failures?"), *Coven -- Et Cetera's* predecessor -- informs readers that instructors are evaluated six times a year by Humber's administration. The evaluation, which occurred as a classroom visit, looked at instructor planning, administrative support, teaching techniques and skills, as well as class response. The results were fed into the merit pay system, and also provided data for teaching quality control.

Almost half of the January 1972 article is critical of the accuracy of this kind of evaluation. Perhaps this is why the student union (SU) was asked to consider sponsoring a student-run evaluation. In another front-page article ("Proposed teacher evaluation"), the November 5, 1971 issue of *Coven* reports how Jim Stark, a former law enforcement instructor, proposed the Counter-Calendar to Student Council on October 25. The idea was that students would carry out their own evaluations using a standardized form (see illustration). The results would then be tabulated and published in a booklet for new students. Later, again in the January 28 issue, we read that the Student Union rejected the idea, finding the cost of \$3,200 too expensive. The SU "also felt some of the questions asked in counter-calendar could be misinterpreted by the student", doing more harm than good.

But this was not enough. Knowing that successful teacher-student relationships are complex matters not reducible simply to performance and satisfaction ratings, *Coven* undertook its own survey, publishing the results in the February 11 issue. Under the headline "Instructors dress 'crappy'", they report that female students were

asked to comment on males instructors' dress, while male students were asked the same in regard to female instructors. They were also asked to pick the best-dressed instructor. Overall results? The headline says it all. ✍

FRONT SIDE OF COUNTER-CALENDAR QUESTIONNAIRE (These will be on a computer card of the mark sense variety)

Name of Prof. MR. () MRS. () MISS ()	
Course Name and No.	
What Year Are You In 1 () 2 () 3 () 4 () 5 ()	
For Me, This Course Is () An Option Is Not ()	
1	How well did you understand the objectives of the course? (1 = Very Poorly, 5 = Very Well) (1) (2) (3) (4) (5)
2	How well did the classes altogether form a cohesive unit (1 = Very Poorly, 5 = Very Well) (1) (2) (3) (4) (5)
3	How stimulating did you find the (a) Classes? (1) (2) (3) (4) (5) (b) Tutorials? (1) (2) (3) (4) (5)
4	How informative did you find the (a) Classes? (1) (2) (3) (4) (5) (b) Tutorials? (1) (2) (3) (4) (5)
5	Were you encouraged to think independently? (1) (2) (3) (4) (5)
6	Did you find that the readings and outside work complemented the basic course material? (1) (2) (3) (4) (5)
7	Were the readings interesting and relevant? (1) (2) (3) (4) (5)
8	If needed, could you get personal help? (1) (2) (3) (4) (5)
9	Did you understand what was expected of you, and how you would you be graded? (1) (2) (3) (4) (5)
10	Was your work graded fairly and carefully? (1) (2) (3) (4) (5)
11	Did exams cover imp. aspects of the course material? (1) (2) (3) (4) (5)
12	Did the course enrich your personal learning experience? (1) (2) (3) (4) (5)
13	Exams emphasized (1) recall of specific course material (5) Critical Judgement (1) (2) (3) (4) (5)
14	The work load was (1) Light (5) Excessive (1) (2) (3) (4) (5)
15	Rate Professor as an effective teacher (1) Very Poor (5) Excellent (1) (2) (3) (4) (5)

Back issues of *Coven* and *Et Cetera* have been digitized and are currently being made available on line by Humber Libraries.

Women not included

excerpt from article by Irene Mathysen, NDP Critic for the Status of Women / CALM News

Stephen Harper's 2009 budget is totally inadequate when it comes to funding for issues that directly affect women. There was not a single mention of women in the entire document.

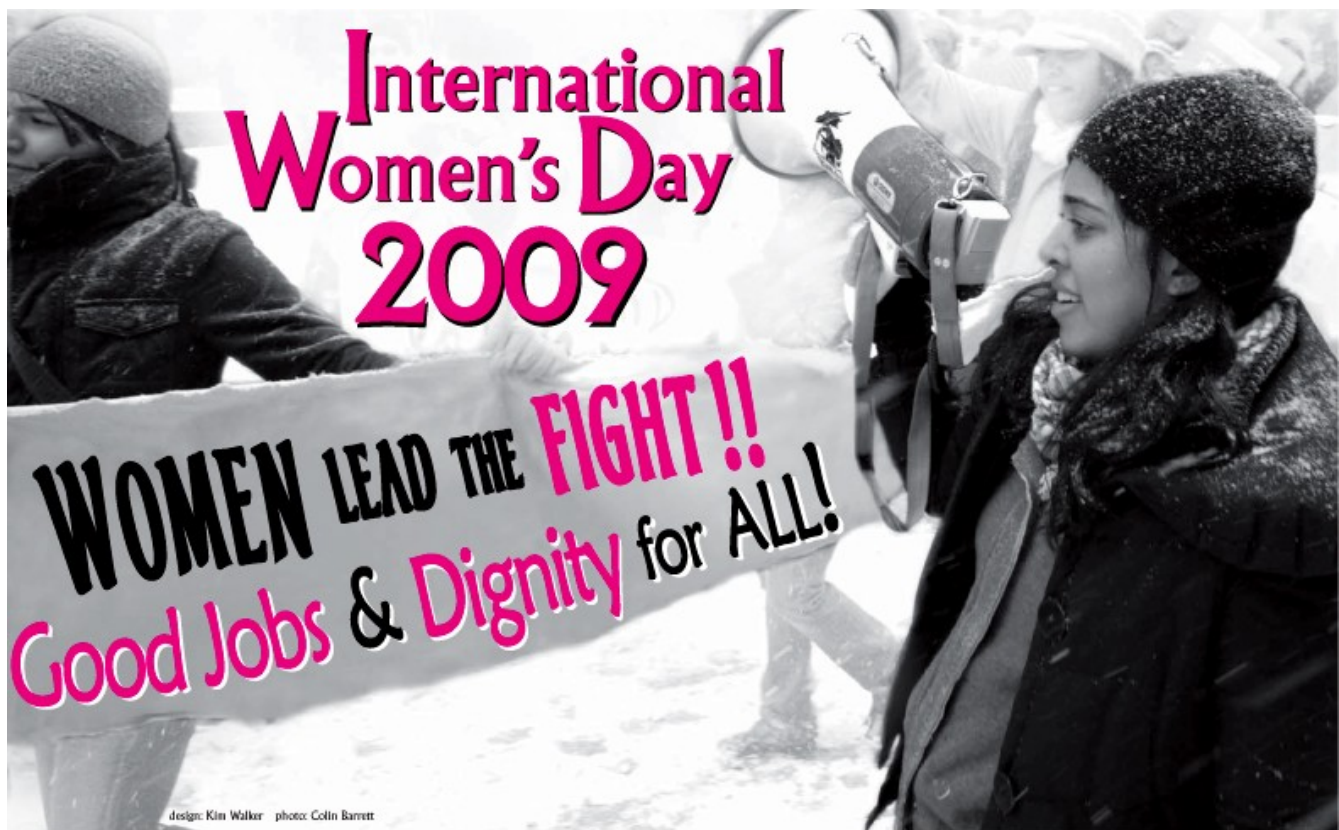
No affordable housing programs were introduced that would target vulnerable women.

The budget contained no mention of child care spaces. An investment in child care would have been an investment in the economy. A national child care program would significantly increase women's ability

contribute to the labour market.

With two thirds of women not qualifying for EI, changes to the system are crucial. Many part-time and seasonal workers are still without any support despite paying into the fund.

The tax cuts are no benefit to 40 per cent of women who fall below the lowest income bracket. The cuts have little effect on the 38 per cent of women who fall in lowest tax bracket. This leaves the most vulnerable 68 per cent of women receiving little or no benefit from the tax cuts. *✍*



design: Kim Walker photo: Colin Barrett

Saturday March 7, 2009 RALLY 11am - MARCH 1pm - FAIR 1:30pm

OISE Auditorium 252 Bloor Street West (St. George Subway Stn.) Fair at Ryerson, 55 Gould Street

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